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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/301,656	04/28/1999	KINYA WASHINO	FNI-01503/03	5893
25006	7590	06/14/2006	EXAMINER	
GIFFORD, KRASS, GROH, SPRINKLE & CITKOWSKI, P.C			DIEP, NHON THANH	
PO BOX 7021			ART UNIT	
TROY, MI 48007-7021			PAPER NUMBER	
			2621	

DATE MAILED: 06/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary**Application No.**

09/301,656

Applicant(s)

WASHINO ET AL.

Examiner

Nhon T. Diep

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18, 20-38, 40-58 and 60-74 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-18, 25-38, 41-47, 49-58 and 60-74 is/are allowed.
- 6) ☒ Claim(s) 20-24, 40 and 48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 April 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The indicated allowability of claims 20-24, 40 and 48 is withdrawn in view of the newly discovered reference(s) to Faber (US 5,335,013); the examiner apologizes for any inconveniences caused. Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 20-24, 40 and 48 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling storing signals using a first and a second predetermined frame rate and resolution, does not reasonably provide enablement for simultaneously storing. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention commensurate in scope with these claims. Regarding claim 20, wherein claim recites storing images simultaneously using a first and a second predetermined frame rate and resolution. In the case that images are the same, the specifications does not disclose to one skilled in the art how to simultaneously store the same video images without at least to convert the same signals to a different frame rate and resolution.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 48 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 48 recites the limitation "the" in "the high-capacity storage media". There is insufficient antecedent basis for this limitation in the claim.

Because of its indefiniteness, for art consideration, the examiner will interpret the claim as broadly as reasonable, read in light of the specifications.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 20, 22-24, 40 and 48 are rejected under 35 U.S.C. 102(b) as being anticipated by Faber (US 5,335,013).

Faber discloses a method and apparatus for vide camera image film simulation comprising the same method of storing video comprising the steps of: receiving video images from one-or more of sources (fig. 1, el. 106); storing the images using a first predetermined frame rate and resolution (fig. 1, el. 124-128, 131); and simultaneously storing the images using a second predetermined frame rate and resolution, with regard to "simultaneously", the examiner understands that the storing of signals does not occur at the same time, however, there is at least some duration, both of signals are

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simultaneously stored (124-140-144-147) as specified in claim 20; the video images are received and stored using multiple display formats (625 line, 50 fields and 525 lines, 60 fields) as specified in claim 22; the images of the first predetermined frame rate and resolution are stored on separate media (131 are different than 147) as specified in claim 23; two or more different media are used to store the images (131 and 133) as specified in claim 24; one or more video signals is received through a network connection (108-114-ADDER-120-124-136-138-140-144-147 = network connection) as specified in claim 40; and the high storage media includes a removable or permanent magnetic, magneto-optical, optical or semiconductor device (el. 131, 133, 147, 149) as specified in claim 48.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Ramsay et al (US 5,502,576) discloses a method and apparatus for the transmission, storage, and retrieval of documents in an electronic domain.

b. Bluth et al (US 3,617,626) discloses a color picture editing and recording system.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon T. Diep whose telephone number is 571-272-7328. The examiner can normally be reached on m-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ND
5/12/2006



NHON DIEP
PRIMARY EXAMINER